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2 LISA M. BERTAIN CASB NO. 124646  
3 JULIE L. TAYLOR CASB NO. 154341  
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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

## **SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER**

The parties to the above-entitled action jointly submit this Supplemental Case Management Statement and [Proposed] Order, pursuant to Civil Local Rule 16-10(d), and request the Court to adopt it as its Supplemental Case Management Order in this case. Concurrence in the filing of this document has been obtained from each signatory as required by General Order 45, Section X(B).

## **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

1. The following progress or changes have occurred since the last case management statement filed by the parties:

The parties have continued to work jointly with JAMS mediators Hon. Daniel Weinstein and mediator Catherine Yanni to finalize both settlement materials and claims administration materials. Counsel for Plaintiffs represent that it has been working with mediator Catherine Yanni, the Plaintiffs' economic/labor statistic consultants, and third-party administrator Rosenthal & Company LLC (who was proposed by Mediator Catherine Yanni) to identify appropriate claims administration and claims payment factors. The parties currently expect to prepare and file by December 31, 2005 (1) a stipulation for settlement class approval and certification, (2) a motion for approval of the stipulation and fairness hearing procedures, and (3) a motion requesting formal approval of Hon. Daniel Weinstein and mediator Catherine Yanni as special masters.

2. The parties jointly request the Court to make the following Supplemental Case Management Order:

The parties request that, in order to allow the parties to finalize their stipulation and related motions, the Court set a further Case Management Conference in late January or early February, 2006.

DATED: December 2, 2005

/s/  
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Attorneys for Plaintiffs  
BUGRA BAKAN and CANG NGUYEN

DATED: December 2, 2005

/s/  
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## **[PROPOSED] CASE MANAGEMENT ORDER**

The case management conference set for December 9, 2005 in this matter shall be continued to February 17, 2006 at 10:30 in Courtroom 7 of this Court. A joint case management statement shall be filed no later than February 10, 2006.

DATED: December 5 2005

*Maxine M. Chesney*  
MAXINE M. CHESNEY  
United States District Judge